REMARKS

Claims 17-38, 40-43 are currently pending, in which claims 17, 31 and 33 are independent. Favorable reconsideration and further examination of the action is respectfully requested in view of the amendments and following comments of the Applicants, which are preceded by related comments of the Examiner in small bold type:

Claim Objections

The numbering of claims 40-43 in not in accordance with 37 CRF 1.126 which requires the original numbering of the claims to be preserved throughout the persecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Applicants have restored the original numbering of claims 40-43 to comply with the requirements of 37 CRF 1.126.

Claim Rejections - *35 USC § 103*

Claims 17-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLapa et al. (6,076,068 hereinafter DeLapa) in view of Langseth et al. (6,694,316 hereinafter Langseth).

Independent claim 17, as amended, recites "producing a marketing campaign comprising a plurality of offers specified by offer data processing rules from which one or more of the offers are identified for targeting specific individuals, wherein at least one of the offer data processing rules determines a set of offers based on a predetermined time interval as the specific individuals interact with each of the set of offers." Each marketing campaign is associated with a lifecycle which specifies time-based rules that affect how one or more offers are sent to a customer. By staging a set of offers with predetermined time delays in between, it allows the customer to receive a more proper follow-up offer as he interacts with each of the set of offers. Support for this subject matter, for example, can be found in the originally filed application at:

Lifecycle 310 specifies time-based rules that affect how related offers are sent to a customer. Campaigns have different types of lifecycles. Some campaigns are "direct" in that once deliver 125 receives a campaign, it immediately instantiates offers based on the campaign and sends these offers to customers. Other campaigns are "triggered." These campaigns are turned into specific offers only particular conditions occur. Finally, some

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campaigns have a more complex time plan, or lifecycle. For example, a number of staged offers may be sent to a customer as they interact with the system. For instance, a customer may first get an "introductory offer" for a service. Then after responding to the offer, perhaps with a predetermined time delay, the customer then gets a "followup" offer. Similarly, the customer can receive a "reminder" offer if they have not responded to the introductory offer. In another example, a series of offers may be send periodically to customers in a particular segment, or who have expressed some interest in a product. This periodic deliver may continue until the customer request to not received more offers, or the customer finally acts on one of the offers. For these more complex campaign, lifecycle 310 encodes the rules by which these sequences of offers are sent to customers. (page 5, paragraph [0061])

DeLapa neither discloses nor suggests at least one of the offer data processing rules determines a set of offers based on a predetermined time interval as the specific individuals interact with each of the set of offers. In contrast, DeLapa discloses a computer-based kiosk at retail stores that dispenses discount shopping coupons for purchasers. DeLapa's coupon dispense approach appears to enhance a dialog between the retailer and the customer. For example, the availability of coupons may reflect a promotion discount program in store (see DeLapa at col. 3, lines 35-49). Although DeLapa describes assigning coupons based on household attributes, there is nothing in the reference discloses or suggests that setting at least one of the offer data processing rules determines a set of offers based on a predetermined time interval as the specific individuals interact with each of the set of offers.

Langseth is not understood to remedy the foregoing deficiencies of DeLapa. In contrast, Langseth is understood to disclose a system and method for providing a plurality of channels of personalized information to system subscribers (see, e.g., summary). Similarly, Langseth fails to disclose or suggest at least one of the offer data processing rules determines a set of offers based on a predetermined time interval as the specific individuals interact with each of the set of offers.

For at least these reasons, amended claim 17 is believed to be patentable over DeLapa in view of Langseth. Amended independent claims 31 and 33 include limitations that are similar to those of independent claim 17. These claims are also believed to be allowable for at least the same reasons noted above.

Each of the pending dependent claims are also believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been addressed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.
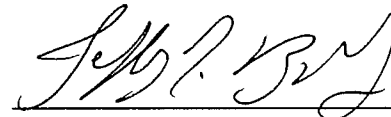
In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-368-2191.

Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 10235-048001.

Respectfully submitted,

Date: 22 December 2008

Jeffrey J. Barclay
Reg. No. 48,950

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (877) 769-7945

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